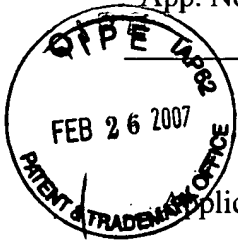


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**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

Applicant : Thomas F. Fangrow Jr.

App. No : 10/715,985

Filed : November 18, 2003

For : INFUSION SET

Examiner : Andrew M. Gilbert

Art Unit : 3767

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, ICU Medical, Inc. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application ("the '985 application") which would extend beyond the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 11/418,725 U.S. Patent Application No. 11/417,707, U.S. Patent Application No. 11/417,699, U.S. Patent Application No. 11/418,494, U.S. Patent Application No. 11/417,655, and U.S. Patent Application No. 11/417,488 (collectively "the Patent Applications"), and hereby agrees that any patent so granted on the '985 application shall be enforceable only for and during such period that the '985 application and any patent issuing from the Patent Applications are co-owned. This agreement extends to any patent granted on the '985 application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the '985 application prior to the earlier of the expiration date of the full statutory term of any patent issuing from the Patent Applications and that of any patent issuing on the '985 application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims

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canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the '985 application and co-owned U.S. Patent Application Nos. 11/418,725, 11/417,707, 11/417,699, 11/418,494, 11/417,655, and 11/417,488. An assignment from the inventors to Assignee of the inventions in the '985 application and in U.S. Patent Application Nos. 11/418,725, 11/417,707, 11/417,699, 11/418,494, 11/417,655, and 11/417,488 was made and filed with the U.S. Patent and Trademark Office and recorded at Reel No. 014715, Frame No. 0096. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: 2/22/07



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